

Article - Environment

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§15–704.

(a) Proceeds from the Mine Reclamation and Water Quality Restoration Loan of 1970 shall be credited on the books of the State Comptroller to be expended exclusively to finance the costs of acquisition, improvements, or rehabilitation of land and acquisition, construction, reconstruction, extension, and improvement of facilities in connection with the prevention, control, and abatement of pollution of the waters of this State from abandoned deep or strip mines, including the prevention of drainage. The proceeds of the loan may be expended for: (1) improvement or rehabilitation, including drainage prevention, of land owned by the State or a political subdivision and occupied or degraded by an abandoned strip mine or deep mine; or (2) acquisition, improvement, or rehabilitation, including drainage prevention, of private land occupied or degraded by abandoned mines. However, the proceeds may not be used to improve, rehabilitate, or prevent drainage from any land that the State or a political subdivision does not own, unless the owner of the land contributes to the cost an amount at least equal to the increase in the value of the land resulting from improvement or rehabilitation. This amount or the manner of determining this amount and the manner of payment shall be determined by the Secretary. The owner of the land need not pay the increase in the value of the land resulting from the improvement or rehabilitation until such time as the land use is changed from agriculture or other open space use.

(b) Land acquired under the provisions of this subtitle may be sold to a private person, retained by the State, or transferred to a political subdivision after the land has been rehabilitated and water pollution from the land has been controlled. Every purchase, sale, and/or transfer of land is by action of the Board who may promulgate rules and regulations governing the transactions. The Board may accept gifts of land from any private citizen, group, quasi-public organization, or political subdivision in order to accomplish the purposes of this subtitle. Land acquired by the State by gift, after rehabilitation and control of water pollution, either may be sold or retained by the State or transferred to a political subdivision as directed by the Board. Any money received from the sale of land acquired under this section shall be deposited in the treasury and constitutes a permanent special fund known as the “Abandoned Mine Drainage Capital Fund”. The money in the Fund may be utilized only for the same purposes as the proceeds of the loan authorized by this subtitle.

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